

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 18-7389**

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KAREEM JABBAR LEAPHART,

Petitioner - Appellant,

v.

WARDEN WILLIE L. EAGLETON,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at  
Charleston. J. Michelle Childs, District Judge. (2:15-cv-04910-JMC)

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Submitted: April 18, 2019

Decided: April 22, 2019

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Before WILKINSON, MOTZ, and KEENAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Tara Dawn Shurling, Columbia, South Carolina, for Appellant.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kareem Jabbar Leaphart seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2254 (2012) petition and the order denying his Motion to Alter or Amend. The orders are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A) (2012). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2012). When the district court denies relief on the merits, a prisoner satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of the constitutional claims is debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); see *Miller-El v. Cockrell*, 537 U.S. 322, 336-38 (2003). When the district court denies relief on procedural grounds, the prisoner must demonstrate both that the dispositive procedural ruling is debatable, and that the petition states a debatable claim of the denial of a constitutional right. *Slack*, 529 U.S. at 484-85.

We have independently reviewed the record and conclude that Leaphart has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*